

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00553

**Chamber of Commerce of the United States of America et al.,**  
*Plaintiffs,*

v.

**National Labor Relations Board et al.,**  
*Defendants.*

**FINAL JUDGMENT**

It is declared that enforcement against plaintiffs or their members of the rule issued by the National Labor Relations Board on October 27, 2023, entitled *Standard for Determining Joint Employer Status*, 88 Fed. Reg. 73,946, would be contrary to law as to the rule's addition of a new 29 C.F.R. § 103.40 and arbitrary and capricious as to its removal of the existing 29 C.F.R. § 103.40 (2020). In both respects, the rule is hereby vacated.

All other relief prayed for is denied without prejudice, except for attorneys' fees and costs, which may be moved for after this final judgment. *See* Fed. R. Civ. P. 54(d).

The clerk of court is directed to enter this document on the docket as a final judgment. *See* Fed. R. Civ. P. 58.

*So ordered by the court on March 8, 2024.*

  
J. CAMPBELL BARKER  
United States District Judge